

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**BIONIX DEVELOPMENT CORPORATION,**

**Plaintiff,**

**v.**

**Case No. 08-MISC-10  
(E.D. Pa. Case No. 07-CV-04465)**

**SKLAR CORPORATION,**

**Defendant.**

**SHONEY SCIENTIFIC,**

**Movant.**

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**DECISION AND ORDER**

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Movant Shoney Scientific, Inc. (“Shoney”) filed a motion to quash third-party subpoenas issued to Shoney and to Quality Customs Broker, Inc. (“Quality ”) for appearances at depositions and the production of certain records in *Bionix Development Corp. v. Sklar Corp.*, Case No. 07-CV-04465, an action currently pending before Judge J. Curtis Joyner in the United States District Court for the Eastern District of Pennsylvania. Plaintiff Bionix Development Corporation (“Bionix”) responded with its own motion which requests that the Court transfer any hearing on the motion to quash to Judge Joyner. Counsel for Bionix states that the motion to transfer was filed pursuant to the March 11, 2008, directions of Judge Joyner. Bionix did not file a brief in response to the motion to quash.

The time for the filing of a response to the motion to transfer – April 7, 2008 – passed without any submission. Under the circumstances and relying upon Bionix's representation, the Court grants Bionix's motion to transfer Shoney's motion to quash.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:**

Bionix's motion to transfer Shoney's motion to quash is **GRANTED**;

The Clerk of Court is directed to transmit the motion to quash and related materials filed in the instant matter to the United States District Court for the Eastern District of Pennsylvania, Judge J. Curtis Joyner; and,

The Clerk of Court is **DIRECTED** to close the file in the instant matter.

Dated at Milwaukee, Wisconsin this 8th day of April, 2008.

**BY THE COURT**

s/ Rudolph T. Randa

**Hon. Rudolph T. Randa  
Chief Judge**